

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

B. R. L., by and through his guardian ad  
litem, FRANCESCA LARA, and  
MIGUEL LARA,

Plaintiffs,

v.

CLINICA SIERRA VISTA, ET AL.,

Defendants.

Case No. 1:21-cv-01445-JLT-CDB

**ORDER ON STIPULATION FOR THIRD  
AMENDMENT TO THE SCHEDULING  
ORDER AS MODIFIED**

(ECF No. 27)

Pending before the Court is the parties' third stipulated request for an extension of time to complete expert discovery, file pretrial motions and try the case. (ECF No. 27).

The Court's initial scheduling order entered on December 20, 2021, granted the parties' request for a 12-month period to conduct and complete expert discovery. (ECF Nos. 8, 9). With the present requested extension, the parties seek to expand this period to a total of 18 months.

Based on the Court's review of the parties' earlier-filed stipulations for extensions, the Court finds that the parties have undertaken discovery diligently and that their current request for an additional extension of dates satisfies the requirements under Fed. R. Civ. P. 16(b)(4) to show good cause. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). In particular, since their most recent stipulation for extension, filed on October 6, 2022 (ECF No. 21), the parties have completed four depositions and an independent medical examination of the

minor Plaintiff by three medical practitioners. (ECF No. 27 at p. 2).

The parties' requested extension appears directed in part to accommodate a private mediation scheduled for May 16, 2023. In their earlier stipulation, the parties reported that a private mediation was scheduled for February 17, 2023. The Court is unclear whether the earlier mediation was rescheduled or whether the May 16 mediation is a separate event. While further requests for discovery, motion or trial extensions are discouraged and no requests for extension will be granted without a showing of diligence by the parties and good cause, the Court directs the parties to elaborate in any future request the course and status of settlement efforts.

Accordingly, IT IS HEREBY ORDERED, the Scheduling Order is amended as follows:

EVENT	DEADLINE	NEW DEADLINE
Plaintiff Expert Disclosures	January 12, 2023	<b>March 10, 2023</b>
Defendant Expert Disclosures	February 22, 2023	<b>April 28, 2023</b>
Rebuttal Expert Disclosures	March 15, 2023	<b>May 12, 2023</b>
Expert Discovery Cut-Off	May 12, 2023	<b>August 4, 2023</b>
Non-Dispositive Motion Filing	May 26, 2023	<b>August 18, 2023</b>
Non-Dispositive Motion Hearing	June 30, 2023	<b>September 22, 2023</b>
Dispositive Motion Filing	July 7, 2023	<b>September 29, 2023</b>
Dispositive Motion Hearing	August 11, 2023	<b>November 14, 2023</b>
Pre-Trial Conference	October 10 2023	<b>January 8, 2024, at 1:30 p.m.</b>
Trial	December 12, 2023	<b>March 5, 2024, at 8:30 a.m.</b>

IT IS SO ORDERED.

Dated: **February 9, 2023**

  
UNITED STATES MAGISTRATE JUDGE